

Appl. No. 10/756,909

Amdt. dated July 29, 2005

Reply to Office action of April 29, 2005

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1 - 13 remain in the application. Claim 1 has been amended.

Support for the amendment to claim 1 is found in the specification, which describes the traction cable as a single self-contained traction cable. The term "self-contained" is synonymous with "endless." The term "self-contained" has been repeated to even better describe the traction cable. The expression "single" does not in and of itself exclude other traction cables. It only emphasizes the fact that a single cable forms pairs of traction cable runs. The second insertion, namely that the cabin, that is, each of the cabins, has two laterally spaced-apart coupling devices, is shown in Fig. 5 and described with reference to Figs. 5 and 5B. We will return to the specifics of the amended claim 1 in the following discussion of the prior art.

The drawing objection on page 2 of the office action has been noted. The Examiner's attention is respectfully directed to Fig. 3 of the drawing of the instant application. As illustrated, two strands, namely the strands 3a, 3c and 3b, 3d are commonly guided about the pulley 33. The two strands are

Appl. No. 10/756,909

Amdt. dated July 29, 2005

Reply to Office action of April 29, 2005

drawn one above the other in Fig. 3. The pulley 33 therefore necessarily has to have two cable groves and these cable groves are illustrated by way of the solid lines that shoot all the way through the pulley. Should the Examiner still be of the opinion that this illustration does not satisfy Rule 83, the Examiner is requested to telephone consul so that a corrected drawing illustrating the feature of claim 12 may be submitted.

We now turn to the art rejection in which claims 1 - 5 and 9 - 13 have been rejected as been obvious over a combination of Wuschek (US 4,473, 011) with Meindl (US 4,802,416) under 35 U.S.C § 103(a). We respectfully traverse on the basis of the amended claim 1.

The Examiner's rejection based on the combined teachings of Wuschek with Meindl cannot be maintained. We do not disagree with the Examiner's summary of the prior art, namely, that the primary reference has two pairs of supporting cables, self-contained traction cable, and a plurality of containers. In light of the fact that Wuschek pertains to the transportation of loose bulk material, the Examiner looked to Meindl for the "cable car" teaching.

Appl. No. 10/756,909

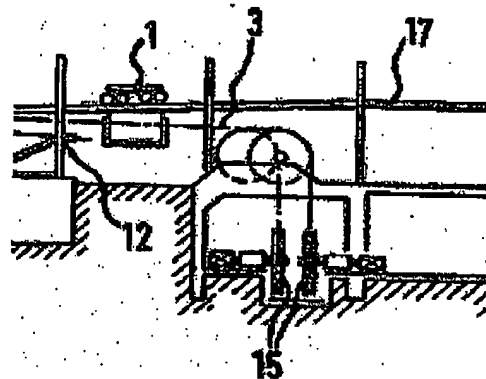
Amdt. dated July 29, 2005

Reply to Office action of April 29, 2005

Wuschek and Meindl lack an important feature of claim 1. Neither of the references has or suggests a single traction cable with two loops. Neither shows or suggests a single traction cable that forms two strands that move upward and two strands that move downward.

Wuschek has two traction cables ("hauling ropes 3") that are driven independently of one another.

The two independent hauling ropes are looped around respective pulleys 15 and they are driven by independent motors. Reference is had to Fig. 8 of Wuschek and the pertinent detail of that figure shown here. It would



appear that Wuschek's assembly requires some kind of synchronization between the two motors and/or that the system could be prone to considerable fluctuations in the transport speed of the parallel strands of the hauling ropes 3.

The secondary reference to Meindl belongs to an entirely different class of cableway systems. There, the supporting cables ("track ropes" in Wuschek) are at the same time traction cables ("hauling ropes" in Wuschek). The two endless lift cables 4 of Meindl are commonly looped around the pulleys 14 and 24 in the terminals (valley station, mountain station)

Appl. No. 10/756,909

Amdt. dated July 29, 2005

Reply to Office action of April 29, 2005

and guided in between to form two pairs of parallel strands. One pair moves upwardly and one pair moves downwardly. The cable cars, upon ramping up to speed while being guided on rails in the terminal station, are clamped to the pair of parallel lift cables and guided to the other station.

The lift cables of Meindl support the cable cars in the vertical direction (primarily gravitational) and in the conveying direction (primarily translational, gravitational, friction).

Meindl, therefore, cannot contribute to the modification of Wuschek that would be necessary to arrive at the claimed invention. Meindl does not have a traction cable. Meindl only has supporting cables, which also function as traction cables.

The claimed feature, according to which the cable cars are clamped to two strands of a single traction cable as they are being moved from one station to another station, is not shown in any of the references. Wuschek shows two strands that are formed by two independent hauling ropes. The reference does not teach whether or how these two strands can be synchronized. Such synchronization of the two strands would appear to be necessary in the context of people movers such as the claimed cable car system. There is no suggestion towards

Appl. No. 10/756,909
Amdt. dated July 29, 2005
Reply to Office action of April 29, 2005

such synchronization, of course, because Wuschek pertains to material transport. The strands of the claimed invention, on the other hand, are automatically synchronized, because they are formed of a single traction cable that is looped to form a pair of strands.

We have also reviewed the rejection of claims 6-8 and the added reference to Hinsen (US 1,149,764). The further reference does not make up for the shortcomings of the primary combination. That is, Hinsen cannot properly modify Wuschek and/or Meindl to arrive at the claimed invention with two pairs of supporting cables and a single traction cable that is guided to form two strands moving uphill and two strands moving downhill.

In summary, none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-13 are solicited.

Appl. No. 10/756,909

Amdt. dated July 29, 2005

Reply to Office action of April 29, 2005

If an extension of time for this paper is required, petition
for extension is herewith made.

Respectfully submitted,



For Applicant

WERNER H. STEMER
REG. NO. 34,956

WHS:sff

July 29, 2005

Lerner and Greenberg, P.A.
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: (954) 925-1100
Fax: (954) 925-1101